

REMARKS

The applicant has amended the claims as set out above and provides remarks set out below to address each concern raised by the office in the official communication mailed September 4, 2003 and the Advisory Action mailed February 2, 2004. A telephone interview with Examiner Griffin was conducted on February 9, 2004 and the proposed amendments as presented above were discussed. The amendments to the claims have been made to comply with the examiner's comments on allowable subject matter. Examiner Griffin indicated that these claims should be allowable.

The amendments are consistent with the disclosure as originally filed. The amendments have also been particularly presented to avoid, where applicable, any admission or estoppel, generally, negatively effecting the scope of protection provided by the disclosure and claims of the present application, and particularly to avoid prosecution history estoppel, limitation of the scope of equivalences, or the like. The applicant does not waive the right to have any unamended claims examined without any reduction in breadth in a subsequent continuing application, if desired.

Cancellation of claims

The applicant, without prejudice, cancels claims 2, 6-8, 17-22, 25, 26 and 29-33. The applicant does not waive any right to have these claims examined without any reduction in breadth in a subsequent continuing application, if desired.

Additional claims

The applicant has amended the specification to include newly added claims 70-105 without the addition of any new matter. The appropriate fee has been paid and was included with the response submitted on January 5, 2004 for the additional claims.

Amendments and 35 U.S.C. § 103(a) concerns

Applicant gratefully acknowledges that the Examiner considers claims 7, 8, 27 and 28 to be allowable if rewritten in independent form. Accordingly, the applicant has amended claim 1

to include the scope of claims 6-8. Further, the applicant has added independent claim 70 to include the scope of claims 1 and 27. Claims 71-87 are the corresponding dependencies to claims 3-16, 23, 24 and 28. Independent claim 88 has been added to include the scope of claims 1 and 28. Claims 89-105 are the corresponding dependencies to claims 3-16, 23, 24 and 27. In view of the foregoing amendments, the applicant believes that the Section 103 concerns are no longer applicable.

It is noted that the office has given certain reasons for allowance of the application. It is noted, however, that it is the claims as a whole and not just the summary provided by the examiner, which makes the claims allowable.

CONCLUSION

The applicant having addressed each of the office's concerns raised in the Advisory Action and Office Action, respectfully requests reconsideration and allowance of the claims. In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (970) 224-3100.

Dated this 10th day of February, 2004.

Respectfully Submitted,
SANTANGELO LAW OFFICES, P.C.

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Facsimile Number: 703-872-9306

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Application Number: 09/735,299
Applicants: Frank D. Guffey and Floyd Alan Barbour
Filed: May 15, 1998
Title: Process for Waste Plastic Recycling
Confirmation No.: 9989
TC/A.U.: 1764
Examiner: W. Griffin
Assignee: The University of Wyoming Research Corporation
d/b/a Western Research Institute
Attorney Docket: WRI Plastic-Div
Customer No.: 33549

CERTIFICATE OF FACSIMILE TRANSMISSION

I, Barbara Graves, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
2. I have this day forwarded the foregoing Letter of Facsimile Transmission; a Petition for Extension of Time Under 37 C.F.R. §1.136(a); a response to Final Rejection under 37 C.F.R. §1.116; a Credit Card Payment Form authorized in the amount of \$210.00 for the 2-month extension of time fee; and this Certificate of Facsimile Transmission via facsimile number 703-872-9306, addressed to Examiner W. Griffin, Group Art Unit 1764.

Dated this ____ day of February, 2004.

Barbara Graves